

SB 124**TESTIMONIAL OUTLINE****January 13, 2011****JOHN L. "PETE" HOWARD****JUSTICE OF THE PEACE - TETON COUNTY**

- **HISTORICAL OVERVIEW - HJ RESOLUTION 16 [2007]**

Sen. Ripley, then Rep. Ripley - Sponsor
Preface or Preamble to SB 124

- **REVISION OF TITLE 87 STATUTES REQUESTED**

By Howard on behalf of Montana Magazine Association

- **TITLE 87 (FWP) STATUTES THEN AND NOW:**

Confusing
Comingled
Lacking definitions
"Not user friendly"

- **COURT DEMOGRAPHICS**

Courts of Limited Jurisdiction
Justice Courts - 60 approximately (JPs)
City
Municipal
Approximately 120 Total
More Female Judges than Male
Many (Non-Sportsmen, Hunt, Fish & Trap)

- **HOWARD**

14 Years Sheriff	----->	36 Years of
22 Years JP	----->	Use/Familiarity

- **COMPARISON**

Montana Criminal Code - Title 45
FWP Code - Title 87

- **TITLE 45** - Definitions Section
Stated Offense/Stated Penalty

- **TITLE 87** - Definitions

1. The following words are used **without being defined** in the title and I suspect refer to some of the same processes and results:

- a. "revocation" regarding various licenses, etc. = 19 statutes;
- b. "revoke" = 8 statutes;
- c. "suspend" = 6 statutes;
- d. "forfeit" = 7 statutes; and
- e. "forfeiture" = 13 statutes.

The word "suspension is in 7 statutes, including the Interstate Wildlife Violator Compact, which defines the word.

2. The following words are used **without being defined** in the Title:

- a. "wildlife" = 144 statutes (and the Title name);
- b. "wild animals" = 8 statutes;
- c. "game" = 160 statutes, usually associated with the terms "bird," "animal," or "fish" but not always; and
- d. "big game" = 6 statutes.

The words "game animals," "upland game birds," "migratory game birds," and "game fish" are currently defined in §87-2-101.

Non-existent or scattered

CODE - 5 Chapters

Begins with Criminal Penalties

6 Pages - Comingled with Administrative Statutes and others

"NOT USER FRIENDLY AT PRESENT"

- **TITLE 87 REVISION PROJECT**

No Substantive Changes – Revenue Neutral

**FWP DIRECTOR APPOINTED COMMITTEE
MULTI-DISCIPLINARY INTERESTS**

JP's: John L. "Pete" Howard
Larry Carver

COUNTY ATTORNEY'S: Mike Menahan
Joe Coble
Stephen Gannon

ATTY GEN's: Barbara Harris

CODE COMMISSION: Doug Sternberg
Hope Stockwell

FWP: Jim Kropp
Jack Lynch

● **PROJECT PROPOSAL**

CREATE NEW CHAPTER

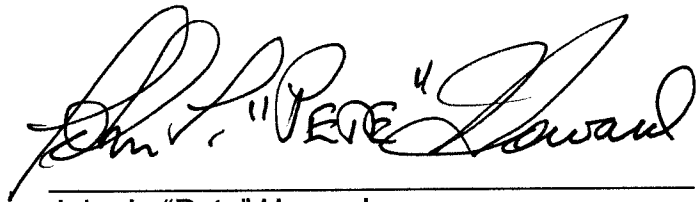
- Extract all existing criminal violations;
- Relocate criminal violations in new chapter; and
- Create "definitions" section/apply to all words/terms

NEW REVISION TO LOOK LIKE CRIMINAL CODES

- Stated Offense followed by applicable penalty

PASSAGE OF SB 124

- Would make Title 87 as it relates to criminal offenses "User Friendly"

A handwritten signature in black ink, appearing to read "John L. 'Pete' Howard", written over a horizontal line.

John L. "Pete" Howard